

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON AGRICULTURE, LIVESTOCK AND IRRIGATION

Call to Order: Chair Donald J. Steinbeisser, on February 21, 2011 at 9:00 A.M., in Room 335 Capitol

ROLL CALL

Members Present:

Sen. Donald J. Steinbeisser, Chairman (R)
Sen. Taylor Brown, Vice Chairman (R)
Sen. Gary Branae (D)
Sen. Bob Hawks (D)
Sen. Rowlie Hutton (R)
Sen. Frederick (Eric) Moore (R)
Sen. Rick Ripley (R)

Members Excused:

Sen. Cliff Larsen (D)
Sen. Terry Murphy (R)
Sen. Sharon Stewart-Peregoy (D)
Sen. Jonathan Windy Boy (D)

Members Absent: None

Staff Present: Prudence Gildroy, Committee Secretary
Sue O'Connell, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 381, 2/18/2011; SB 384, 2/18/2011

Executive Action: SB 313; SB 339; SB 343; SB 365; SB 381; SB 384

HEARING ON SB 381

Opening Statement by Sponsor:

00:00:57 Sen. Llew Jones (R), SD 14, opened the hearing on SB 381, Require merchant
transmission lines to pay royalties to landowners.
00:04:10 Sen. Larsen now present

Proponents' Testimony:

00:07:17 Sen. Jim Peterson, SD 15
00:11:50 Bob Haseman, Landowner
00:16:02 Chris Christiaens, Montana Farmers Union
00:18:16 John Youngberg, Montana Farm Bureau Federation
00:19:07 John Semple, Montana Grain Growers
00:19:20 Carol Lambert, Women Involved in Farm Economics (WIFE)
00:20:15 Jay Bodner, Montana Stockgrowers Association

Opponents' Testimony:

00:21:20 John Fitzpatrick, Northwestern Energy (NWE)

Informational Testimony:

None

Questions from Committee Members and Responses:

00:33:53 Sen. Larsen
00:34:25 Mr. Fitzpatrick, NWE
00:35:27 Sen. Moore
00:35:52 Sen. Jones
00:36:35 Sen. Moore
00:36:49 Sen. Jones
00:37:15 Sen. Ripley
00:37:47 Sen. Jones
00:39:13 Sen. Hawks
00:40:06 Sen. Jones
00:43:51 Sen. Hawks
00:44:37 Sen. Jones
00:46:21 Sen. Larsen
00:47:01 Mr. Fitzpatrick
00:47:24 Sen. Larsen
00:47:40 Mr. Fitzpatrick
00:47:57 Sen. Steinbeisser
00:48:36 Sen. Jones

Closing by Sponsor:

00:49:11 Sen. Jones

00:53:20 Recess

00:57:57 Reconvene

HEARING ON SB 384

Opening Statement by Sponsor:

00:57:20 Sen. Kendall Van Dyk (D), SD 25, opened the hearing on SB 384, Eliminate certain committees and boards in Dept. of Agriculture.

Proponents' Testimony:

01:04:02 Cort Jensen, Attorney, Department of Agriculture (AGS)

01:06:49 Sen. Murphy now present

Opponents' Testimony:

01:07:27 John Semple, Montana Grain Growers Association

Informational Testimony:

None

Questions from Committee Members and Responses:

01:08:04 Sen. Ripley

01:08:29 Mr. Jensen, AGS

01:09:32 Sen. Ripley

01:10:01 Mr. Semple

01:10:09 Sen. Ripley

01:10:14 Mr. Semple

01:10:27 Sen. Ripley

01:10:38 Sen. Van Dyk

01:11:42 Sen. Ripley

01:11:53 Sen. Van Dyk

01:13:10 Sen. Steinbeisser

01:13:17 Mr. Jensen

01:13:43 Sen. Steinbeisser

01:13:50 Mr. Jensen

Closing by Sponsor:

01:14:05 Sen. Van Dyk

EXECUTIVE ACTION ON SB 313

01:17:42 **Motion/Vote:** Sen. Hutton moved that **SB 313 BE TABLED**. Motion carried unanimously by voice vote of those present and voting.

EXECUTIVE ACTION ON SB 339

01:18:42 **Motion:** Sen. Moore moved that **SB 339 DO PASS**.

01:19:03 **Motion:** Sen. Moore moved that **SB 339 BE AMENDED**.
[EXHIBIT\(ags42a01\)](#)

Discussion:

01:19:15 Sen. Moore

01:19:33 **Vote:** Motion carried unanimously by voice vote of those present and voting.

01:19:46 **Motion:** Sen. Moore moved that **SB 339 DO PASS AS AMENDED**.

Discussion:

01:19:56 Sen. Moore

01:23:27 Sen. Larsen

01:23:44 Sen. Moore

01:24:16 Sen. Larsen

01:24:29 Sen. Moore

01:24:44 Sen. Brown

01:27:39 Sen. Hawks

01:29:29 Sen. Ripley

01:31:34 Sen. Steinbeisser

01:33:14 Sen. Hawks

01:33:51 Sen. Steinbeisser

01:34:08 Sen. Moore

01:36:36 Sen. Hawks

01:37:58 Sen. Moore

01:38:29 Sen. Brown

01:41:50 **Vote:** Motion failed 3-8 by roll call vote with Sen. Moore, Sen. Ripley and Sen. Steinbeisser voting aye. Sen. Stewart-Peregoy and Sen. Windy Boy voted no by proxy.

01:41:52 **Motion/Vote:** Sen. Brown moved that **SB 339 BE TABLED AND THE VOTE REVERSED**. Motion carried 8-3 by voice vote with Sen. Moore, Sen. Ripley and Sen. Steinbeisser voting no. Sen. Stewart-Peregoy and Sen. Windy Boy voted by proxy.

EXECUTIVE ACTION ON SB 343

01:42:36 **Motion:** Sen. Murphy moved that **SB 343 DO PASS.**

Discussion:

01:43:13 Sue O'Connell, Legislative Services Division (LSD)

01:45:05 **Motion:** Sen. Murphy moved that **SB 343 BE AMENDED.**
EXHIBIT(ags42a02)

Discussion:

01:45:19 Sen. Larsen
01:45:28 Ms. O'Connell, LSD
01:45:52 Sen. Verdell Jackson, SD 5
01:47:34 Sen. Hawks
01:47:55 Sen. Jackson
01:49:35 Sen. Hawks
01:49:44 Sen. Jackson
01:50:24 Sen. Ripley

01:50:40 **Vote:** Motion carried unanimously by voice vote of those present and voting.

01:50:51 **Motion:** Sen. Murphy moved that **SB 343 DO PASS AS AMENDED.**

Discussion:

01:51:00 Sen. Ripley
01:51:26 Sen. Steinbeisser

01:51:35 **Vote:** Motion carried unanimously by voice vote. Sen. Stewart-Peregoy and Sen. Windy Boy voted by proxy.

EXECUTIVE ACTION ON SB 365

01:52:18 **Motion:** Sen. Ripley moved that **SB 365 DO PASS.**

Discussion:

01:52:35 Sen. Hawks
01:53:56 Sen. Steinbeisser
01:54:11 Greg Ames, Department of Agriculture (AGS)

EXHIBIT(ags42a03)

EXHIBIT(ags42a04)

EXHIBIT(ags42a05)

02:00:24 Sen. Brown
02:03:08 Sen. Larsen
02:05:08 Sen. Ripley

02:05:48 **Substitute Motion/Vote:** Sen. Branae moved that **SB 365 BE TABLED**. Motion carried unanimously by roll call vote. Sen. Stewart-Peregoy and Sen. Windy Boy voted by proxy.

EXECUTIVE ACTION ON SB 381

02:06:56 **Motion:** Sen. Hutton moved that **SB 381 DO PASS**.

Discussion:

02:07:09 Sen. Hawks

02:07:53 Sen. Brown

02:08:50 Sen. Steinbeisser

02:10:08 **Vote:** Motion carried 7-4 by roll call vote with Sen. Branae, Sen. Larsen, Sen. Stewart-Peregoy and Sen. Windy Boy voting no. Sen. Stewart-Peregoy and Sen. Windy Boy voted by proxy.

Note: The fiscal note for SB 381 was requested on 2/18/11 and was not available at the time of Executive Action on the bill so a Standing Committee Report for SB 381 was delayed.

EXECUTIVE ACTION ON SB 384

02:11:07 **Motion:** Sen. Ripley moved that **SB 384 DO PASS**.

Discussion:

02:11:09 Sen. Ripley

02:11:36 Sue O'Connell, Legislative Services Division (LSD)

02:12:24 Sen. Ripley

02:12:26 Ms. O'Connell, LSD

02:12:48 Sen. Brown

02:12:55 Sen. Ripley

02:13:18 Sen. Steinbeisser

02:13:28 Sen. Larsen

02:13:38 Sen. Steinbeisser

02:13:43 **Motion/Vote:** Sen. Ripley moved that **SB 384 BE AMENDED** by conceptual amendment to remove the Hail Board from the bill. Motion carried by voice vote of those present and voting.

02:14:01 **Motion/Vote:** Sen. Brown moved that **SB 384 DO PASS AS AMENDED**. Motion carried unanimously by voice vote. Sen. Stewart-Peregoy and Sen. Windy Boy voted by proxy.

02:14:46 Sen. Hawks

02:15:04 Sen. Steinbeisser

ADJOURNMENT

Adjournment: 11:13

Prudence Gildroy, Secretary

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Additional Documents:

EXHIBIT([ags42aad.pdf](#))